

**MARCH 19, 2013**

**ROLL CALL: MARY BRADLEY, KEN KERKHOFF, ANN MILLER, OWEN ROBERTS AND BRIAN TRAUGOTT WERE PRESENT. COUNCIL MEMBER CARL ELLIS WAS ABSENT. ALSO PRESENT WERE CITY ATTORNEY BILL MOORE AND MAYOR FRED SIEGELMAN.**

**DEPT. HEADS: BART MILLER, FRANKIE SHUCK, JOHN WILHOIT AND ALLISON WHITE WERE PRESENT REPRESENTING THEIR RESPECTIVE DEPARTMENTS.**

**MOTION BY BRADLEY, SECONDED BY TRAUGOTT TO APPROVE AND ADOPT THE MINUTES OF THE MARCH 5, 2013 REGULAR MEETING OF THE COUNCIL.**

**The vote was as follows: Bradley, Kerkhoff, Miller, Roberts and Traugott voting aye.**

**Mr. Wade Johnson of Woodford County Recycling was present to request Council support of a recycling grant and household hazardous waste grant which they are applying for. Mr. Johnson further noted that there was no financial obligation of the City, only a letter of support. Mr. Johnson noted that with the support of both City and County legislative bodies, additional points would be available to the grant applications. Mr. Johnson introduced Ms. Sherri McDaniel as the project manager of the two grant applications.**

**MOTION BY ROBERTS, SECONDED BY BRADLEY TO AUTHORIZE THE MAYOR TO EXECUTE A LETTER OF SUPPORT FOR BOTH THE RECYCLING AND HOUSEHOLD HAZARDOUS WASTE GRANT APPLICATIONS BEING SUBMITTED BY THE WOODFORD COUNTY RECYCLING CENTER.**

**The vote was as follows: Bradley, Kerkhoff, Miller, Roberts and Traugott voting aye.**

**At the request of Council member Bradley, City Attorney Moore gave second reading of Ordinance No. 2013-13 An Ordinance Specifying the Subscriber Households in the city of Versailles That May Opt Out of City Garbage Collection Services as follows:**

**CITY OF VERSAILLES  
ORDINANCE NO. 2013-13**

**TITLE: AN ORDINANCE SPECIFYING THE SUBSCRIBER HOUSEHOLDS  
IN THE CITY OF VERSAILLES THAT MAY OPT OUT OF CITY  
GARBAGE COLLECTION SERVICES**

**WHEREAS, the Versailles City Council has determined that it is appropriate to grant certain persons the right to opt out of the City's garbage collection services and have their garbage collected by an independent contractor.**

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF VERSAILLES, KENTUCKY AS FOLLOWS:**

**SECTION ONE: The garbage customers described below may opt out of the city garbage collection service and provide for collection of their garbage by an independent contractor other than the City's garbage collection franchisee:**

- A. Residential housing units (i.e. apartments or townhomes) owned by a single person or entity consisting of at least five (5) units sharing one or more common walls or roofs;**
- B. Residential housing units (i.e. apartments or townhomes) owned by a single person or entity consisting of at least four (4) units sharing one or more common walls or roofs that were receiving garbage collection services from a private entity other than the City or its garbage collection franchisee as of January 1, 2013; and**
- C. Mobile home parks having at least four (4) mobile homes.**

**SECTION TWO: Garbage customers who opt out of the city garbage collection service must notify the City Clerk of this election and provide garbage collection services by dumpsters, not individual receptacles that are emptied no less than one time each week.**

MARCH 19, 2013

SECTION THREE: Garbage customers who opt out of the city garbage collection service are nevertheless responsible for payment of the city garbage franchise fee of \$ 3.00 per subscriber household per month.

SECTION FOUR: This ordinance shall be effective after the date of its passage and publication as required by law.

Introduced and given first reading at a meeting of the City Council of the City of Versailles, Kentucky, held on the 5th day of March, 2013, and fully adopted after the second reading at a meeting of said council held on the 19th day of March, 2013.

FRED SIEGELMAN, MAYOR

ATTEST:

ALLISON B. WHITE, CITY CLERK

The vote was as follows: Bradley, Kerkhoff, Miller and Roberts voting aye. Council member Traugott voting opposed.

At the request of Council member Roberts, City Attorney Moore gave second reading of Ordinance No. 2013-14 as follows:

CITY OF VERSAILLES  
ORDINANCE NO. 2013-14

TITLE: AN ORDINANCE AMENDING § 91.03 OF THE VERSAILLES CODE OF ORDINANCES TO SPECIFY THE DAYS ON WHICH NO FUNERAL WILL BE CONDUCTED AT THE CITY CEMETERIES.

WHEREAS, the Versailles City Council has reviewed the language of § 91.03 of the Code of Ordinances and determined that it is necessary and appropriate to amend said Section;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF VERSAILLES, KENTUCKY AS FOLLOWS:

SECTION ONE: § 91.03 of the Code of Ordinances of the City of Versailles is hereby amended as follows:

No funeral shall be conducted in the ~~cemeteries~~ cemeteries on Sunday and the following holidays: New Years Day, Memorial Day, July 4, Labor Day, Thanksgiving, Christmas Eve after 11:00 a.m., and Christmas Day; nor after 4:00 p.m. on any day.

SECTION TWO: This ordinance shall be effective after the date of its passage and publication as required by law.

Introduced and given first reading at a meeting of the City Council of the City of Versailles, Kentucky, held on the 5th day of March, 2013, and fully adopted after the second reading at a meeting of said council held on the 19th day of March, 2013.

THE CITY OF VERSAILLES

FRED SIEGELMAN, MAYOR

ATTEST:

ALLISON B. WHITE, CITY CLERK

**MARCH 19, 2013**

**MOTION BY BRADLEY, SECONDED BY KERKHOFF TO APPROVE AND ADOPT ORDINANCE NO. 2013-14 AN ORDINANCE AMENDING SECTION 91.03 OF THE VERSAILLES CODE OF ORDINANCES TO SPECIFY THE DAYS ON WHICH NO FUNERAL WILL BE CONDUCTED AT CITY-OWNED CEMETERIES.**

**MOTION BY TRAUGOTT TO AMEND ORDINANCE BY STRIKING THE WORD “SUNDAY” AND FOR THE ORDINANCE TO SIMPLY READ “NO FUNERAL SHALL BE CONDUCTED IN THE CEMETERIES ON THE FOLLOWING HOLIDAYS....”.**

#### **DISCUSSION**

**There was a brief discussion regarding Sunday burials relative to various religion beliefs versus just having the wording as regards holidays being listed. After discussion, it was decided to table the second reading and adoption vote, pending further discussion with the Cemetery Committee.**

**MOTION BY TRAUGOTT, SECONDED BY KERKHOFF TO WITH MOTION TO AMEND AND TO TABLE SECOND READING OF ORDINANCE NO. 2013-14 UNTIL NEXT MEETING.**

**The vote was as follows: Bradley, Kerkhoff, Miller, Roberts and Traugott voting aye.**

**It was further agreed upon to also table second reading of Ordinance No. 2013-15 because it too was related to the charge for opening and closing on city observed holidays.**

**MOTION BY TRAUGOTT, SECONDED BY BRADLEY TO TABLE SECOND READING OF ORDINANCE NO. 2013-15 UNTIL NEXT COUNCIL MEETING.**

**The vote was as follows: Bradley, Kerkhoff, Miller, Roberts and Traugott voting aye.**

**Council member Traugott presented proposed Resolution No. 2013-5, which in summary, would support the Kentucky Transportation Cabinet proceeding towards completion of the Northwest Versailles Mobility Corridor.**

**MOTION BY TRAUGOTT, SECONDED BY BRADLEY TO APPROVE AND ADOPT RESOLUTION 2013-5 SUPPORTING PROCEEDING TOWARDS COMPLETION OF THE NORTHWEST VERSAILLES MOBILITY CORRIDOR.**

#### **DISCUSSION**

**Council member Miller expressed her disagreement with proceeding with such resolution in that it was her recommendation that the Council further discuss the issue, as well as the recommendations that were previously provided by the study conducted by Entran in 2010. Ms. Miller noted that several downtown traffic alleviation suggestions were recommended at that time, yet none of them tried. Ms. Miller suggested that the issue should be a joint city/county discussion prior to adoption of this resolution. Council member Kerkhoff expressed that it was his belief that “completing a bypass makes sense”, however he too felt that more study may need to be done and suggested tabling the resolution until the next meeting, when Council member Ellis would be available to be included in the discussion.**

**MOTION BY KERKHOFF, SECONDED BY MILLER TO TABLE ADOPTION AND DISCUSSION OF RESOLUTION NO. 2013-5 UNTIL THE FULL COUNCIL COULD DISCUSS.**

**The vote was as follows: Miller and Kerkhoff voting aye. Council members Bradley, Roberts and Traugott voting opposed. Motion failed.**

**Council member Traugott called for vote on motion to approve and adopt Resolution 2013-5.**

**The vote was as follows: Bradley, Roberts and Traugott voting aye. Council members Miller and Kerkhoff voting opposed.**

MARCH 19, 2013

**PUBLIC COMMENT**

Ms. Marjorie Evans commented on approval corridor resolution in amending language to state Council support of reviewing previously presented Entran report recommendations and to further study the traffic issues/problems of the community.

Mr. Harold Steele was present comment on his support of moving forward with completion of the corridor as the resolution stated. Mr. Steele noted that he lives on Main Street and was very familiar with the traffic flow of Main Street and which he believes is a real problem. Mr. Steele expressed that for years this has been a community that has been against progress. Mr. Steele further noted that the Economic Development Authority too had conducted a survey of citizens, which showed that the majority of the citizens want and support the corridor.

Mr. Tom Brown of Buck Run Road expressed his opposition of the corridor resolution in that he too felt further studies should be performed on the traffic congestion problems.

Mayor Siegelman noted that a Resolution is not a law of the City, but merely an expressed opinion.

Council member Traugott presented proposed Resolution No. 2013-6 as a Request (of Kentucky Transportation Cabinet) to Remove Bicycle Lanes from South Main Street. Councilman Traugott noted that the concern of being able to park in the bike lanes and being able to make use of the lanes as a turn lane by vehicular traffic, would seem to be a safety issue and otherwise defeat the purpose of the bike lanes themselves. It was further agreed upon to place the proposed Resolution before the Street/road committee for further review and consideration.

Public Works Director Bart Miller presented the following quotes for sludge hauling:

Republic Services	\$30.14 Per Ton
Rumpke	\$33.00 Per Ton
Central Kentucky Hauling	\$36.89 Per Ton

MOTION BY ROBERTS, SECONDED BY TRAUGOTT TO APPROVE QUOTE PRESENTED BY REPUBLIC SERVICES IN THE AMOUNT OF \$30.14 PER TON FOR CITY SLUDGE HAULING.

The vote was as follows: Bradley, Kerkhoff, Miller, Roberts and Traugott voting aye.

MOTION BY BRADLEY, SECONDED BY TRAUGOTT TO DECLARE THE FOLDER-SEALER MACHINE AS SURPLUS AND ADVERTISE FOR SALE OF GOVDEALS.COM.

The vote was as follows: Bradley, Kerkhoff, Miller, Roberts and Traugott voting aye.

MOTION BY BRADLEY, SECONDED BY TRAUGOTT TO DELCARE 22 SUBMERSIBLE PUMPS FROM LIFT STATIONS AS SURPLUS PROPERTY AND TO ADVERTISE FOR SALE ON GOVDEALS.COM.

The vote was as follows: Bradley, Kerkhoff, Miller, Roberts and Traugott voting aye.

MOTION BY TRAUGOTT, SECONDED BY BRADLEY TO ENTER INTO EXECUTIVE SESSION TO DISCUSS PERSONNEL.

The vote was as follows: Bradley, Kerkhoff, Miller, Roberts and Traugott voting aye.

MOTION BY TRAUGOTT, SECONDED BY BRADLEY TO RETURN FROM EXECUTIVE SESSION NOTING THAT NO ACTION WAS TAKEN DURING EXECUTIVE SESSION.

The vote was as follows: Bradley, Kerkhoff, Miller, Roberts and Traugott voting aye.

MOTION BY KERKHOFF, SECONDED BY MILLER TO HIRE ACCOUNT CLERK IN EXCESS OF 15% ABOVE BASE PAY GRADE.

The vote was as follows: Bradley, Kerkhoff, Miller, Roberts and Traugott voting aye.

MARCH 19, 2013

**MOTION BY KERKHOFF, SECONDED BY MILLER TO APPROVE HIRING A POLICE OFFICER IN EXCESS OF 15% ABOVE BASE PAY GRADE.**

The vote was as follows: Bradley, Kerkhoff, Miller, Roberts and Traugott voting aye.

Public Works Director Bart Miller presented the following quotes for the installation of a water valve on Markham Drive:

C.I. Thornburg Co.	\$4452.00
American Water	\$5500.00

**MOTION BY TRAUGOTT, SECONDED BY BRADLEY TO APPROVE QUOTE AS PRESENTED BY C.I. THORNBURG CO. IN THE AMOUNT OF \$4,452.00 FOR THE INSTALLATION OF A WATER VALVE ON MARKHAM DRIVE.**

The vote was as follows: Bradley, Kerkhoff, Miller, Roberts and Traugott voting aye.

**DEPARTMENT HEAD/COMMITTEE REPORTS**

Public Works Director Bart Miller made clarification that any financial/bank draft information that had previously been provided to Legacy Carting for trash collection service would be destroyed. Also, there was brief discussion as to clarification of large item pickup service day. Mr. Miller confirmed that the large item pickup day is Friday for free pickup. Otherwise, you must call Legacy Carting directly to arrange for any other day and extra cost items.

City Clerk Allison White announced that the Time Warner Cable renewal Public Hearing would remain open for comment until April 16<sup>th</sup> Council meeting, at which time a representative from Time Warner would be present to address any issues/concerns.

Public Works Director Bart Miller also noted that a water/sewer bill adjustment had been requested by a resident at 233 Rose Hill due to a shut-off valve being broke and unable to turn off during a leak. Customer provided a repair bill for verification that the shut-off valve had been repaired. The leak adjustment would be in the amount of \$137.00.

**MOTION BY ROBERTS, SECONDED BY TRAUGOTT TO APPROVE A WATER/SEWER BILLING ADJUSTMENT FOR 233 ROSE HILL IN THE AMOUNT OF \$137.00 DUE TO A LEAK AND THE SHUTOFF VALVE NOT WORKING AT TIME OF LEAK.**

The vote was as follows: Bradley, Kerkhoff, Miller, Roberts and Traugott voting aye.

City Attorney Bill Moore informed the Council that he and City representatives had recently met with the Bonding Company of D.F. Bailey regarding settlement of extra work that had to be performed to complete the interceptor sewer project. Mr. Moore noted that after several negotiations, Fidelity and Deposit Bond Company has agreed to pay \$200,000.00 towards these extra costs for the project completion. Mr. Moore recommended that the City accept that proposal in order to resolve the issue.

**MOTION BY ROBERTS, SECONDED BY BRADLEY TO APPROVE INTERCEPTOR SEWER PROJECT SETTLEMENT IN THE AMOUNT OF \$200,000.00 AND AS PROPOSED BY FIDELITY AND DEPOSIT BOND COMPANY (REPRESENTING D.F. BAILEY, INC.).**

The vote was as follows: Bradley, Kerkhoff, Miller, Roberts and Traugott voting aye.

Disaster Emergency Management Director, Keith Slugantz, commended the Versailles Fire Department in their recent assist with a chemical spill in Nicholasville. He also extended his appreciation to the Council for their support of the BERT team and noted that it was instances like these for which that team supports.

Finance Committee member Traugott followed up on the feasibility of purchasing and using Kindle technology or use during meetings. Traugott noted that technology is ever-changing and the costs associated with training and future upgrades and that he felt these factors would not annotate the costs of the Kindles.

**MARCH 19, 2013**

**Council member Kerkhoff informed the Council that the “Work Ready Community” signs are done and that Paul Simmons would be installing those signs at the designated places. Mr. Kerkhoff agreed to coordinate the unveiling ceremony of these signs.**

**MOTION BY ROBERTS, SECONDED BY KERKHOFF TO APPROVE THE GENERAL LEDGER DISTRIBUTION LIST (BILLS) DATED MARCH 19, 2013 AFTER THEY HAVE BEEN PROPERLY REVIEWED AND APPROVED BY THE APPROPRIATE DEPARTMENT HEAD, MAYOR AND CITY TREASURER.**

**The vote was as follows: Bradley, Kerkhoff, Miller, Roberts and Traugott voting aye.**

**MOTION BY TRAUGOTT, SECONDED BY BRADLEY THAT THE MEETING OF THE COUNCIL ADJOURN.**

**The vote was as follows: Bradley, Kerkhoff, Miller, Roberts and Traugott voting aye.**

**APPROVED:**

**\_\_\_\_\_**  
**FRED SIEGELMAN, MAYOR**

**ATTEST:**

**\_\_\_\_\_**  
**ALLISON B. WHITE, CITY CLERK**